

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

IN RE: JOHNSON & JOHNSON TALCUM  
POWDER PRODUCTS MARKETING,  
SALES PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION

MDL NO. 2738 (FLW) (LHG)  
JUDGE FREDA L. WOLFSON  
MAG. JUDGE LOIS H. GOODMAN

THIS RELATES TO THE FOLLOWING  
CASES INCLUDED ON EXHIBIT A TO  
DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' COMPLAINTS:

ROGER WALKER, AS PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
NOLA WALKER, AND ROGER WALKER  
INDIVIDUALLY.

*CASE NO: 3:19-cv-05458*

**PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS PLAINTIFFS'  
COMPLAINTS PURSUANT TO RULE 41 (b)**

May it please the Court:

Counsel for the Plaintiff, Roger Walker in representation of the Estate of Nola Walker, respectfully submit this Response to Defendants' Motion to Dismiss Plaintiffs' Complaints pursuant to Rule 41(b).

The undersigned counsel was recently informed that Roger Walker passed away. Counsel was able to locate Timothy Joyner who is Nola Walker's surviving son and next of kin. Mr. Joyner is interested in being substituted in as the Plaintiff in this matter. A motion to substitute Mr. Joyner as the Plaintiff will be filed in this matter.

Mr. Joyner is interested in getting appointed as the personal representative of his mother Nola Walker's Estate. Mr. Joyner currently resides in the state of Tennessee whereas his mother was a resident of the state of Georgia at the time of her death. Although Mr. Joyner is trying to

consult with estate attorney to help him get the proper probate appointment over his mother's estate, the Covid-19 pandemic is giving him delays in this process. The proper probate documentation will be served upon receipt. In the meantime, Mr. Joyner has signed the Plaintiff Profile Form declaration page and authorizations which were served on MDL Centrality on October 19, 2020.

**WHEREFORE**, the undersigned counsel, respectfully requests this Court to deny Defendants' Motion to Dismiss and to give Mr. Joyner a reasonable amount of time to get appointed as the personal representative of his mother's estate and for him to get substituted in as the Plaintiff in this matter.

Dated: October 19, 2020

Respectfully submitted,  
/s/ Christopher R. LoPalo  
Christopher R. LoPalo, Esq.  
NAPOLI SHKOLNIK PLLC  
400 Broadhollow Rd., Suite 305  
Melville, NY 11747  
T: (212) 397-1000  
F: (646) 927-1676  
CLOPalo@NapoliLaw.com

*Attorneys for Plaintiff*

**IN RE: JOHNSON & JOHNSON TALCUM  
POWDER PRODUCTS MARKETING,  
SALES PRACTICES, AND PRODUCTS  
LIABILITY LITIGATION**

**MDL NO. 2738 (FLW) (LHG)  
JUDGE FREDA L. WOLFSON  
MAG. JUDGE LOIS H. GOODMAN**

**THIS RELATES TO THE FOLLOWING  
CASES INCLUDED ON EXHIBIT A TO  
DEFENDANTS' MOTION TO DISMISS  
PLAINTIFFS' COMPLAINTS:**

ROGER WALKER, AS PERSONAL  
REPRESENTATIVE OF THE ESTATE OF  
NOLA WALKER, AND ROGER WALKER  
INDIVIDUALLY.

*CASE NO: 3:19-cv-05458*

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the attached document was served upon each attorney of record through the Court's Electronic Court Filing System.

Dated: October 19, 2020

/s/ Christopher LoPalo  
Christopher LoPalo, Esq.